

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

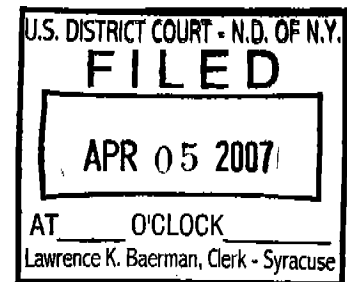
MICHAEL KINSELLA o/b/o
PAMELA FILKINS,

Plaintiff,

v.

MICHAEL J. ASTRUE,
COMMISSIONER
OF SOCIAL SECURITY,

Defendant.



Civil Action No. 06-1131
(NAM) (DRH)

**CONSENT ORDER TO
REMAND PURSUANT TO
SENTENCE 4 OF
42 U.S.C. § 405(g)**

This matter having been opened to the Court by GLENN T. SUDDABY, United States Attorney for the Northern District of New York, and John M. Kelly, Special Assistant United States Attorney, attorneys for Defendant, for an Order remanding the within cause of action to the Defendant pursuant to sentence 4 of 42 U.S.C. § 405(g) so that further administrative action may be taken; and Plaintiff, through the undersigned attorney, Stephen J. Mastaitis, having consented to the within order and the requested remand, and the Court having considered the matter,

IT IS on this 5th day of April, 2007;

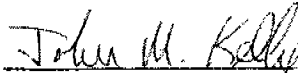
ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for further administrative action, and it is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in

Melkonyan v. Sullivan, 501 U.S. 89 (1991).

The undersigned hereby consent to the form and entry of the within order.

GLENN T. SUDDABY
United States Attorney

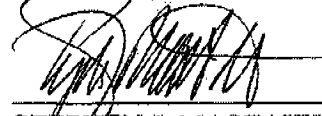
By:



JOHN M. KELLY
Special Assistant U.S. Attorney
Bar No. 513801


STEPHEN J. MASTAITIS, P.C.

By:



STEPHEN J. MASTAITIS
Attorney for Plaintiff

IT IS SO ORDERED.



Norman A. Mordue
Chief Judge

Dated: April 5, 2007